

**IN THE UNITED STATES DISTRICT COURT FOR
THE EASTERN DISTRICT OF PENNSYLVANIA**

IN RE: LATEX GLOVES : MDL DOCKET NO.: 1148
 PRODUCTS LIABILITY :
 LITIGATION :

CASE MANAGEMENT ORDER NO. 26
RE: MOTION TO QUASH A SUBPOENA OR SEEK A PROTECTIVE ORDER

AND NOW, this 3rd day of March, 1998, upon conference, the following procedures are to be employed in situations where subpoenaed persons or entities desire to move to quash a subpoena or seek a protective order from the demand of a subpoena.

1. Subpoenaed Entities and Persons That Are MDL Parties

If the subpoenaed entity or person is a party in any MDL No. 1148 action, then the entity or person must seek appropriate relief before Special Master Bechtle pursuant to the procedures for resolving written discovery disputes in CMO No. 20.

2. Subpoenaed Entities and Persons That Are Not MDL Parties

When a party subpoenas a person or entity that is not a party in an MDL No. 1148 action, the party issuing the subpoena should serve upon the subpoenaed person or entity, along with the subpoena, copies of this Order and CMO No. 20 (Re: Procedure for Resolution of Written Discovery Disputes - Motions for Order to Compel). If the subpoenaed person or entity is not a party in any MDL No. 1148 action, it may nonetheless seek appropriate relief in MDL No. 1148. It will not be necessary for such person or entity to retain local counsel for such purpose. If, however, the person or entity moves for appropriate relief before the local federal district court in which the subpoena was issued, the MDL No. 1148 party issuing the subpoena shall advise the local federal district court that the case for which the subpoena was issued is part of multi-district litigation and

that the MDL No. 1148 court has agreed to adjudicate all disputes involving discovery, pursuant to the guidelines and procedures for resolving written discovery disputes in the MDL court. The party issuing the subpoena, at the same time it so notifies the local federal district court, shall supply it with copies of this order and CMO No. 20 (Re: Procedure for Resolution of Written Discovery Disputes - Motions for Order to Compel). The subpoenaed person or entity seeking relief shall then submit the dispute to Special Master Bechtle pursuant to CMO No. 20.

Edmund V. Ludwig, J.